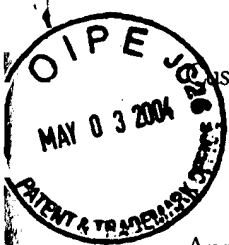


#16



Customer No.: 26308

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scribner et al. **RECEIVED** Attorney Docket No.: 1759.15103-CON
Serial No.: 09/837,350 **MAY 05 2004** Examiner: A. Kokabi
Filed: 18 April 2001 **OFFICE OF PETITIONS** Group Art Unit: 3751
Title: Expandable Preformed Structures for Deployment in Interior Body Regions

**RENEWED PETITION FOR AN UNINTENTIONALLY
DELAYED BENEFIT CLAIM PURSUANT TO 37 C.F.R. §1.78(a)(3)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application as shown in the attached Amendment B.

Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach, Reg. No. 50,295

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
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29 April 2004
Customer No.: 26308

Kyphon/15103-CON/040429 Renewed Petition Under 37 C.F.R. 1.78(a)(3)

Enclosures: Amendment B
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